THE HONOURABLE SRI JUSTICE NOOTY RAMAMOHANA RAO

W.P.M.P. No.4962 of 2007

&

W.P.No.26306 of 1996

Date:28-02-2007

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Between:

D.Shankaraiah Petitioner

And

A.P. Social Welfare Residential Educational Society,
rep. by it's Secretarty,58/SRT,
Potti Sriramulu Nagar,Hyderabad and two others.

Respondents

THE HONOURABLE SRI JUSTICE NOOTY RAMAMOHANA RAO

W.P.M.P. No.4962 of 2007

&

W.P.No.26306 of 1996

COMMON ORDER:

1. The above writ petition has been instituted seeking the following relief:

> *" to issue an order or orders or direction or writ more particularly in the nature of certiorari and call for the records in Proc. Rc.No.ZV/13304/96 dated 14.11.1996 issued by the respondent No.1 and quash the same and consequently direct the respondents to reinstate the petitioner into service with back wages and granting continuity of service and such other monetary benefits etc."*

2. But during the course of hearing of the writ petition, the writ petitioner has realized tl teacher he cannot be away from performing duties in a school, inasmuch as absence of te cause hindrance to the progress of the students, he realizes and makes a statement that if considered against the post of Physical Education Teacher by the respondents he is ready his duties without causing hindrance or leaving out any scope for criticism, inasmuch as I cured of his ailment.

3. The learned counsel for the respondent organization Sri Vijaya Bhaskar Moola wc that they are not making any regular recruitment, but they are only making contractual ap inasmuch as the scheme of regular recruitment has not yet been finalized.

4. The writ petitioner asserts that there are still vacancies of Physical Educatic available at Garepalli and Rukmapur and it is for this court to decide as to when and how the writ petitioner should be considered. But however, since the respondent organizatio way making appointments on contractual basis, it would be appropriate that the case petitioner be also considered along with others, in view of his past experience of workir respondent organization. Perhaps, but for the set-back suffered by him due to ill heal petitioner would have continued in service as well. Though the writ petitioner may responded to the notification issued by the respondents, but however, in view of the pende writ petition for such a long time, inasmuch as the writ petitioner has already submitted his on 24-02-2006, it would be appropriate to consider the application of the writ petitioner respondent while making the appointment on contractual basis as Physical Education Tea candidature of the writ petitioner also be considered and if he is found otherwise fit and s

may also be engaged as a Physical Education Teacher, considering the fact that he was a

the past with the respondent organization.

5. With this, the W.P.M.P. No.4962 of 2007 and the writ petition stand disposed of. No c

costs.

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NOOTY RAMAMOHANA RAO,J

28-02-2007

Note: C.C. in one week

B/o.

Stp